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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,232	08/09/2000	Shiri Kadambi	108339-00021	4991
32294	7590	08/23/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182				HARPER, KEVIN C
ART UNIT		PAPER NUMBER		
		2666		

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/635,232	KADAMBI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kevin C. Harper	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 09 May 2005.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 20-33 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 23,24,31 and 33 is/are allowed.  
 6) Claim(s) 20,21,25-29 and 32 is/are rejected.  
 7) Claim(s) 22 and 30 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

***Response to Arguments***

Applicant's arguments filed May 9, 2005 have been fully considered but they are not persuasive. Applicant argued that Cotton does not disclose an adjustable number of ports bundled in a trunk group. However, the trunk group provides several ports to a destination (col. 4, lines 43-53, where the number of ports assigned to a trunk group (LAC) is dynamic (col. 18, lines 12-15 and 42-45).

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 20-21, 26-29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al. (US 5,237,571) in view of Sherer et al. (US 5,568,476).

1. Regarding claims 20, 26 and 32, Cotton discloses a method of sending packets between trunked network switches (fig. 1, items 20 and fig. 3C). The method comprises receiving a packet from a source at a first port of a first trunked network switch (col. 5, lines 2-4), identifying the first switch having ports (col. 4, lines 43-50), where an adjustable number of ports are bundled as a trunk group (col. 18, lines 13-16), identifying that the packet is received from the source at an ingress unit and is destined for a destination which must be accessed through the trunk group to a second trunked network switch (col. 11, lines 25-29), identifying an appropriate trunk port of the trunk group to sent the packet to the destination by an identifying unit (col. 18, lines 43-45) and forwarding the packet to the destination on the appropriate trunk port by a forwarding/sending unit (col. 24, lines 28-30).

2. However, Cotton does not disclose identifying that a packet is destined for a destination that must be accessed through a trunk group by checking a trunk bit. Sherer discloses a link table having a bit that indicates that several ports are to be used to transmit a packet to a destination (col. 9, lines 19-25, 31-34 and 51-53). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to check a trunk bit which indicates that a packet is to be transmitted over multiple links in the invention of Cotton in order to facilitate and coordinate a multiple port transmission among various internal components (Sherer, fig. 5, col. 10, lines 54-56).

3. Regarding claims 21, 27 and 29, Cotton discloses that trunk ports are identified through a lookup table based on the destination address (col. 11, lines 22-29).

4. Regarding claims 28, in Cotton, the lookup table comprises rules tag information (col. 18, line 38, "L"; col. 19, lines 12-17).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al. (US 5,237,571) in view of Sherer et al. (US 5,568,476) and Chou et al. (US 5,386,414).

5. The limitations have been addressed in rejecting claims 20 and 26 above, with the exception of modifying a trunk group table to reflect trunk port failures. Cotton in view of Sherer does not disclose modifying a trunk group table to reflect trunk port failures. Chou discloses modifying a trunk group table to omit failed trunks (col. 3, lines 32-46; col. 5, lines 21-27). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to change a trunk group table in the invention of Cotton in view of Sherer in order to accurately transmit data to a destination.

***Allowable Subject Matter***

6. Claims 23-24, 31 and 33 are allowed.
7. Claims 22 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the

Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

August 22, 2005

Seema S. Rao  
SEEMA S. RAO 8/22/05  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600